

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JANET RAWLINGS
6922 N. Broad Street, Apt. G-3
Philadelphia, PA 19126

Plaintiff,

V.

**NATIONAL PASSENGER RAILROAD
CORPORATION DBA AMTRAK
2955 Market Street, 30th Street Station
Philadelphia, PA 19104**

Defendant.

x Civil Action No.

x

**DEFENDANT NATIONAL RAILROAD PASSENGER
CORPORATION'S ("AMTRAK") NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1331, 1349, 1441, and 1446, defendant National Railroad Passenger Corporation (“Amtrak”), by and through its counsel, hereby removes to the United States District Court for the Eastern District of Pennsylvania the case captioned Janet Rawlings v. National Passenger Railroad Corporation DBA Amtrak, now pending in the Philadelphia Court of Common Pleas, No. 01963, October 2020 Term, and as grounds for removal states as follows:

1. Amtrak has been named as a defendant in the above-referenced action now pending in the Court of Common Pleas of Philadelphia County, October 2020 Term, No. 01963.
2. The above-referenced action was commenced by the filing of a Writ of Summons on October 27, 2020. (See Writ attached hereto at Exhibit A).
3. Amtrak was served a copy of the Writ on November 18, 2020. (See Affidavit of Service at Exhibit B).

4. On April 8, 2021, plaintiff filed her Complaint, and counsel for Amtrak received same from the Philadelphia Court of Common Pleas' electronic filing system that same date. (See plaintiff's Complaint at Exhibit C)
5. This Notice of Removal is being filed within thirty (30) days of receipt of the Complaint by Amtrak, pursuant to 28 U.S.C. § 1446(b)(1).
6. The United States District Court for the Eastern District of Pennsylvania has original jurisdiction over this action pursuant to 28 U.S.C. § 1331 because Amtrak was created by an Act of Congress, 49 U.S.C. § 24101 et seq., and more than half of its corporate stock is owned by the federal government. See 28 U.S.C. § 1349. As such, this case is removable to this Court pursuant to 28 U.S.C. § 1441(a).
7. Pursuant to 28 U.S.C. § 1446(a), copies of the pleadings served upon Amtrak are attached at Exhibits A and C.
8. Written notice of the filing of this Notice of Removal will be provided to plaintiff's counsel, and a copy of this Notice of Removal and supporting papers will be filed with the clerk of the state court, as provided by 28 U.S.C. § 1446(d).

WHEREFORE, defendant Amtrak respectfully requests that the action described herein now pending in the Court of Common Pleas of Philadelphia County be removed to this Court.

Respectfully submitted,

LANDMAN CORSI BALLAINE & FORD P.C.
Attorneys for Defendant
National Railroad Passenger Corporation
("Amtrak")

BY: /s/ Devon S. Davis
Devon S. Davis, Esq.

Dated: May 7, 2021